IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 14576 of 2006(I)

PETITIONER:

E.V. KURUVILLA, AGED 81 YEARS,
S/O. VARKEY, 303, PANCHAVADI,
VYTTILA, KOCHI-6892 019.

BY ADV. SRI.A.V.THOMAS
SRI.GEEMON VARGHESE ALEX
SRI.NIDHI SAM JOHNS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, LOCAL ADMINISTRATION
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
CIVIL STATION, KAKKANAD, ERNAKULAM,
WITH CAMP OFFICE AT JUSTICE K.T. KOSHY ROAD,
KOCHI-682 011.

3. ST.MARY'S ORTHODOX CATHEDRAL CHURCH,
PARK AVENUE, ERNAKULAM, REPRESENTED BY ITS
PRESENT VICAR REV.FR.ABRAHAM EDAMPADAM.

4. THE TRUSTEE, ST.MARY'S ORTHODOX
CATBHEDRAL CHURCH, PARK AVENUE, ERNAKULAM.

5. THE SECRETARY, ST.MARY'S ORTHODOX
CATHERDRAL CHURCH, PARK AVENUE, ERNAKULAM.

BY ADV. SRI.P.N.RAVINDRAN
GOVERNMENT PLEADER SRI. BENJAMIN PAULD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO. 14576 OF 2006

DATED THIS THE 1st DAY OF AUGUST, 2007

JUDGMENT

This writ petition was filed at a time when the mortal remains of a person was not allowed to be cremated in the church cemetery in which the dead person was a member.

2. I passed an interim order dated 5.6.06 directing respondents 3 to 5 to allot an independent cellar for cremation of the dead body on payment of usual charges. The same is over. That being so, no further orders are necessary in this writ petition. However, the learned counsel for respondents 3 to 5 submits that there are some observations in the interim order, which may be held against respondents 3 to 5. I make it clear that any observation made in the course of passing the order would not in any way prejudice the rights of respondents 3 to5 in any future proceedings.

Accordingly, the writ petition is closed in terms of the interim order with the above observation.

S. SIRI JAGAN, JUDGE

Acd